

ORDINANCE NO. 98-⁶³

98 63

DEC 15 1998

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 8.5, ARTICLE II, PALM BEACH COUNTY CODE ("THE CODE ENFORCEMENT CITATION ORDINANCE OF PALM BEACH COUNTY"), BY ADDING TO SCHEDULE "A" THE FOLLOWING: SECTIONS 3-1.7 (OVERCROWDING) AND 3-4.1.1 (OPEN BURNING) OF THE PALM BEACH COUNTY FIRE CODE (PALM BEACH COUNTY ORDINANCE 98-29); SECTIONS 4-1.6.1 (LOCKED EXITS), 4-8.1 (OBSTRUCTED EXITS), 7-1.1 (AUTOMATIC SPRINKLER SYSTEMS), AND 8-1.3 (FIRE ALARM SYSTEMS) OF NFPA 1, FIRE PREVENTION CODE, 1997 EDITION, AS ADOPTED BY SECTION 1-1 OF THE PALM BEACH COUNTY FIRE CODE (PALM BEACH COUNTY ORDINANCE 98-29); AND CHAPTER 12, ARTICLE III ("FIREWORKS"), DIVISION 1, PALM BEACH COUNTY CODE (PALM BEACH COUNTY ORDINANCE 98-21); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 162.21, Florida Statutes, permits local governing bodies to establish a Code Enforcement Citation System; and

WHEREAS, the Board of County Commissioners adopted a Code Enforcement Citation System when it enacted Ordinance 90-45, as amended, known as the Code Enforcement Citation Ordinance of Palm Beach County (codified at Chapter 8.5, Article II, Palm Beach County Code); and

WHEREAS, the Code Enforcement Citation Ordinance of Palm Beach County permits the assessment of civil penalties against persons violating codes and ordinances as specified in Schedule "A" of said Ordinance; and

WHEREAS, the Board of County Commissioners desires to add to Schedule "A" of the Code Enforcement Citation Ordinance certain provisions of the Palm Beach County Fire Code (Palm Beach County Ordinance 98-29) and Chapter 12, Article III (Fireworks), Division I, Palm Beach County Code (Palm Beach County Ordinance No. 98-21); and

WHEREAS, the Board of County Commissioners has determined that the amendments to Schedule "A" of the Code Enforcement Citation Ordinance of Palm Beach County, as contained herein, will promote, protect and improve the health, safety and welfare of the citizens of Palm Beach County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

PART 1. Chapter 8.5, Article II, Palm Beach County Code, is hereby amended to add the following to schedule "A":

Code Provision	Description	Class	Fine Amount
Section 3-1.7, PBC Fire Code (PBC Ord. 98-29)	Overcrowding/exceeding allowed or posted capacity	IV	\$250.00
Section 3-4.1.1, PBC Fire Code (PBC Ord. 98-29)	Open burning without approved permit or authorization	III	\$125.00
Section 1-15, NFPA 1, Fire Prevention Code, 1997 edition, as adopted by sec. 1-1, PBC Fire Code (PBC Ord. 98-29)	Operating or conducting a business without approved permit or authorization	III	\$125.00
Section 4-1.6.1, NFPA 1, Fire Prevention Code, 1997 edition, as adopted by sec. 1-1, PBC Fire Code (PBC Ord. 98-29)	Operating a business with a locked exit	IV	\$250.00
Section 4-8.1, NFPA 1, Fire Prevention Code, 1997 edition, as adopted by sec. 1-1, PBC Fire Code (PBC Ord. 98-29)	Operating a business with an obstructed exit	IV	\$250.00
Section 7-1.1, NFPA 1, Fire Prevention Code, 1997 edition, as adopted by sec. 1-1, PBC Fire Code (PBC Ord. 98-29)	Failure to properly maintain automatic sprinkler system	III	\$125.00
Section 8-1.3, NFPA 1, Fire Prevention Code, 1997 edition, as adopted by sec. 1-1, PBC Fire Code (PBC Ord. 98-29)	Failure to properly maintain fire alarm system(s)	III	\$125.00
Chapter 12, Article III (Fireworks), Division 1, PBC Code (PBC Ord. 98-21)	Illegal or unauthorized sale of fireworks, sparklers, or novelties	IV	\$250.00

* All substantive code provisions subject to enforcement by this article shall continue to be enforced as they may be from time to time amended.

PART II. REPEAL OF LAWS IN CONFLICT:

Any laws or ordinances in conflict with this Ordinance which Palm Beach County is authorized to repeal are hereby repealed to the extent of any such conflict.

PART III. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

PART IV. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

The provisions of this Ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or any other appropriate word.

PART V. EFFECTIVE DATE:

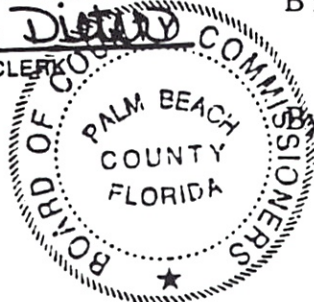
The provisions of this Ordinance shall become effective upon filing with the Department of State.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 15th day of December, 19 98.

DOROTHY H. WILKEN, CLERK
Board of County Commissioners

By Delmah Distary
DEPUTY CLERK

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS



Manda Ford Lee
Chair

98 63 DEC 15 1998

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Shawn Gunn
COUNTY ATTORNEY

Filed with the Department of State on the 22nd day of December, 19 98, at M.

HAUSER\KOWENS\MAIL\CITATION.ORD

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify that this is a
true and correct copy of the original.
on 12/15/98
DATED at West Palm Beach, Florida 12/30/98
DOROTHY H. WILKEN, Clerk
By: Phyllis A. House D.C.